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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,798	06/05/2001	Ashvinkumar J. Sanghvi	MSI-693US	5525
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LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			EXAMINER SIDDIQI, MOHAMMAD A	
			ART UNIT 2154	PAPER NUMBER
			MAIL DATE 08/23/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

09/875,798

Applicant(s)

SANGHVI ET AL.

Examiner

Mohammad A. Siddiqi

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 5, 6, 8, 19, 20 and 24-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5-6, 8, 19-20, and 24-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

1. Claims 5-6, 8, 19-20, and 24-41 are presented for examination.

Claims 25-41 are new. Claims 1-4, 7, 9-18, and 21-23 have been cancelled.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Regarding claims 27 and 31 , the phrase " substantially common state as other devices in the group " renders the claim indefinite because it is unclear it fails to point out what is included or excluded by the claim language. See Ex parte Fressola, 27 USPQ2d 1608 (Bd. Pat. App. & Inter. 1993).

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 25, 30, and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by Houston et. al. (US 20020019945) (hereinafter Houston).

5. As per claims 25, 30, and 34, Houston discloses a method, computer program stored on computer-readable media, and system comprising:

receiving (140, event manager, fig 1) all event data generated by a plurality of event providers in a network (140, fig 1, page 3, para #0042) and all inquiries requesting the event data from a plurality of event consumers (140, fig 1, page 3, para #0042), the event providers and event consumers comprising different components in the network (105, fig 1, page 3, para #0041), wherein the event data is represented in a common data format regardless of which event provider generates the event data (140, fig 1, page 3, para #0042; page 4, para #0050), and wherein the inquiries

comprise the event data subscribed by the plurality of event consumers  
(Client/user page 3, para #0041);

determining, in accordance with one or more event handling policies  
(criteria for filtering and analyzing data based on the scope of the  
client, Page 3, para #0043), whether the event data is subscribed by  
the plurality of event consumers (client/user, page 3, para #0042-  
#0043); and

sending the event data to the plurality of event consumers that  
subscribe the event data (client/user, page 3, para #0042-#0043), wherein  
the event data is represented in the same common data format as it is  
generated by the plurality of event providers (text-based, page 4, para  
#0047-#0050).

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis  
for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 5-6, 8, 19-20, and 24, 26-29, 31-33, and 35-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Houston et. al. (US 20020019945) (hereinafter Houston) in view of. Thebaut et. al. (5,889,953) (hereinafter Thebaut).

8. As per claims 27, 31,37, and 38, Huston fails to disclose assigning a plurality of devices to a group, the assigned devices each having a substantially common state as other devices in the group; and assigning one or more event handling policies to the group, wherein the assigned policies are associated with each of the devices in the group. However, Thebaut discloses assigning a plurality of devices to a group, the assigned devices each having a substantially common state as other devices in the group (col 6, lines 3-11); and assigning one or more event handling policies to the group, wherein the assigned policies are associated with each of the devices in the group (col 6, lines 21-31). Houston discloses managing and presenting event data collected from devices in the network. Thebaut discloses creating, assigning, and enforcing policies to the devices in the network. Houston explicitly does not teach creating, assigning, and enforcing policies in the network. It would have been obvious to one having ordinary skill in the art at the time invention was made to implement Houston teachings of logging and reporting event data in common format in the

network policy management and conflict resolution system of the Thebaut to provide display data subscribed event data to any computer device.

9. As per claim 5, 19, and 37, the claim is rejected for the same reasons as claim 27, above. In addition, Thebaut discloses a particular device is assigned to multiple groups (col 8, lines 6-16).

10. As per claims 6, 20, and 36, the claim is rejected for the same reasons as claim 27, above. In addition, Thebaut discloses the one or more event handling policies\_policy defines how the device is configured identify the event data that are subscribed by the plurality of event consumers (col 3, lines 3-60).

11. As per claims 8 and 35, the claim is rejected for the same reasons as claim 27, above. In addition, Thebaut discloses the method is implemented by a management module (col 4, lines 8-67).

12. As per claim 24, the claim is rejected for the same reasons as claim 27, above. In addition, Thebaut discloses event log further comprises a version of an operating system, a location in a geographic region, a configuration of the system, presence of a particular hardware item, or

capacity of a particular hardware item (col 5, lines 14-26, col 14, lines 5-23).

13. As per claims 26 and 32, the claim is rejected for the same reasons as claim 27, above. In addition, Thebaut discloses creating the one or more event handling policies at least in part on the basis of the inquiries subscribing the event data from the plurality of event consumers (col 3, lines 18-60).

14. As per claims 28 and 33, the claim is rejected for the same reasons as claim 27, above. In addition, Thebaut discloses creating an event log, the event log comprising one or more event handling policy (col 5, lines 14-26).

15. As per claims 29 and 39, the claim is rejected for the same reasons as claim 27, above. In addition, Thebaut discloses the creating comprises merging a plurality of event handling policies to a single combined event handling policy (col 4, lines 16-24).

16. As per claim 40, the claim is rejected for the same reasons as claim 27, above. In addition, Thebaut discloses a database configured to store the event data, the database being coupled to the management module (col 5,



lines 14-25).

**17.** As per claim 41, the claim is rejected for the same reasons as claim 27, above. In addition, Thebaut discloses an event log configured to administrate the one or more event handling policies, the event log being coupled to the management module (col 5, lines 14-25).

### ***Response to Arguments***

18. Applicant's arguments with respect to amended claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

19. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action

and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad A. Siddiqi whose telephone number is (571) 272-3976. The examiner can normally be reached on Monday -Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MAS

A handwritten signature in black ink, appearing to be 'W. C. Vaez', with a large, stylized flourish underneath.